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The North Beverly Environmental Action Committee  
Dominic Manzoli Secretary/Archivist  
775A Cabot Street Beverly MA 01915



SEMS DocID

605777

May 10, 2000

Ms. Carrol Browner  
Environmental Protection Agency  
401 M Street /1101  
Washington, D.C. 2060

Dear Ms. Browner,

We enclose a letter we have written responding to remediation plans for 3 toxic sites under provisions of the MA Contingency Plan, MA General Law 21E: MA DEP sites numbered 3-0230, 3-0231, 3-0235. We believe the proposed remediation plans for these toxic sites will severely impact the Wenham Lake Reservoir, which supplies drinking water to 80,000 people in 3 communities. At 32 feet mean sea level, the reservoir lies downgradient of the toxic sites, the highest of which is 90 feet above our water supply.

We urge you to investigate this dire threat to the Wenham Lake Reservoir, which has already been compromised due to years of inaction at the state and local levels of government. Please intervene immediately on behalf of the citizens who drink the water from this reservoir. We request quick action because the developers are moving ahead rapidly. To illustrate the concerns citizens have, we enclose a letter and petition containing 33 signatures that have been sent to the developers ( in this case, Beverly's mayor) and to the environmental/engineering consultant.

I look forward to hearing from you as soon as possible.

For the committee,

*Dominic Manzoli*  
Dominic Manzoli Secretary/Archivist

**The North Beverly Environmental  
Action Committee**

**Dominic Manzoli Secretary/Archivist  
775A Cabot Street Beverly, MA 01915**

**Ransom Environmental Consultants, Inc.**

**Browns Wharf**

**Newburyport, MA 01950**

**FAX (978) 465-2986**

**May 8, 2000**

**Dear Mr. Ransom,**

The following is the North Beverly Environmental Action Committee's response to the Public Involvement Plan (PIP) meetings presented by Ransom Environmental Consultants Inc. held at the Second Congregational Church in North Beverly.

The last of the three meetings held April 19, 2000, a poster session, was a deliberate attempt to avoid public confrontation. The Ransom Co. under the control of Mayor Scanlon is not acting in good faith in conducting the limited investigation of the three contaminated sites north of Henderson Road, all within the Wenham Lake Reservoir Aquifer.

At what we believed to be the first meeting of this investigation on June 1997 four of us residents were asked to leave the Mayor's office because as the Mayor stated the meeting was not for the public. We found out later through a Department of Environmental Protection file search, that Ransom had been hired by the City of Beverly a year earlier and had already produced a "Scope of Work Report" on these three sites dated May 1, 1996. This shows intention to defy a citizens petition under MGL 21E Initiative # 4 sec. 14.b, by not including the public in matters concerning toxic chemicals migrating into their public water supply.

Earlier on, at these meetings we had requested meeting with your Project Manager Wayne Schanck in the field, after receiving no response, this was followed by a phone call, then a letter, we were being ignored. However one day, I found him and an assistant testing the existing Monitoring Well # MW- 5 S on the Vitale property, at the corner of Henderson Road and Cabot Street, following a 17,400 gallon oil mixed with water spill, upgradient of this test well. From that test well I led him about 100 feet into the brush behind a man made knoll apparently designed by the Vitale Contractors to conceal a bedrock fissure in the airport brook that flows into the reservoir, a short distance away. Fortunately conditions were right at that time and I was able to show them how orange leachate coming out of the Vitale dump site flowed only a short distance in the brook to a bedrock fissure that discharged vertically into the ground.

This hidden direct underground route to the reservoir is probably the fly ash spring at the bottom of the reservoir that we have photographed at low water in 1987 and again in 1998. This spring 300 feet from the mean shoreline is at least four feet deep, this was determined by using a post hole digger.

A simple die test under the right conditions would confirm this route.

We Beverly residents have observed a total of six bedrock fissures within this mile long glacial valley between Wenham Lake Reservoir and it's western hills. The knoll area described earlier, are mounds of materials trucked in many years ago, consisting of discarded hot top, gray fly ash and the blue/black type of fly ash, identified in reports as Manufactured Gas Product Waste (MGP). At our chance meeting at this knoll, Mr. Schanck acknowledged that this unreported MGP waste had an obvious coal and coal tar content to it, unlike the gray flyash that reportedly came from the Electric Generating Power Plant in Salem Harbor.

Records show that the MGP wastes were trucked by the Vitale Excavating Contractors from a coal gasification plant at South Harbor in Lynn and was dumped in several locations in this airport area. Some areas have not been addressed in your investigation.

Your segmented investigation of only these three contaminated sites is history repeating itself. The present limited Ransom study is a repeat of what has already occurred on the Vitale overflow dump across Henderson Road from these sites. On this contaminated site two environmental investigation firms as well as the Beverly Board of Health "went out on a limb" in order to clear the site for immediate industrial development.

It was later determined by the MA Department of Environmental Protection (DEP) that the contaminated fly ash must be removed for proper disposal.

Both Enpro Services and Haley & Aldrich Engineers and Consultants, declared the site safe for development in 1987 and 1988. The reports are available in our files. Six years later in 1994 Haley & Aldrich conducted another investigation for the new owner, MA Electric Co. who purchased the land, accepting the responsibility for contaminated material.

The DEP ordered removal of what is now identified as Manufactured Gas Waste Product Wastes (MGP). On December 30, 1994, 5,100 tons of MGP wastes were removed for proper disposal elsewhere. This was followed by the 42 more tons removed on November 13, 1996, then after capping and revegetating the site on August 6, 1997 they returned again to remove another 36 tons of MGP wastes.

More of this waste remains beyond this property line in the wetlands that connect the Filtech site with Beverly Municipal Airport. The public was not informed when the City of Beverly's Mayor Scanlon asked you to go beyond your "Scope of Work" for the three sites, to investigate the fly ash encountered during the construction of the Airport Road through these wetlands. At the PIP meetings you refused to investigate the findings of the Tighe & Bond Report a study of the whole airport, not just the "General Services Area" This study, initiated by and presented to the City of Beverly on June 20, 1989, was not available to the public in city hall files. The NBEAC was forced invoke the public records law in order to obtain the report. Mentioned in the T&B Report are two dumps and the unrecorded elimination of wetlands on the airport. But most important was the elimination of the 50 year old untreated sewage sand filters with effluent discharging directly across the path of the newly constructed Airport Industrial Connector Road in the same wetlands connecting the airport to the Filtech site. Sewage from these sand filters was diverted to the Army NIKE site June 19, 1992, connected in the Gurnard Machine Shop parking lot.

Your investigation of these three sites has been on-going since 1996 yet you cannot publicly determine the source of the 17,400 gallon oil and water spill when the final connection was made from the airport to the new municipal sewer March 26, 1999. We have been recording, photographing, documenting for the 25 years of investigations of this contaminated Aquifer. Our explanation of the 17,400 gallon oil mixed with water spill is that the Army Chicago Aerator Sewage Treatment Plant on the NIKE site was not a septic system. The small man-made leaching field was completely plugged from over 50 years of use the sewage had no where to go. The airport sewage piping was full. Mr. Gerald McCall of DEP, in charge of the remediation of the three sites, refused to answer the question in writing, was this 50 year old NIKE steel tank a septic system?

The Vitale Site being investigated today is a mix of both types of fly ash. The knoll area mentioned before is being overlooked by this Ransom study as are other areas that we have discussed at previous PIP meetings. Selecting only these three sites to investigate as a prerequisite for industrial development, before completion of Phase 2 of your investigation, is unacceptable. We regard this as arrogant disregard for a public drinking water supply serving 80,000 people.

These PIP meetings have wasted our time because government officials have refused to respond to our concerns. Residents are powerless against a pro- development Mayor controlling this investigation, who is backed by state agencies who have their own agenda for this airport region and have unlimited funds.

Proposed for immediate development are the Mini Warehouses on the NIKE site. On the Vitale Dump they propose developing 16 of the 18 acres, an ice skating rink, three athletic fields and associated facilities. Would you allow your children to play in this 45 year old Illegal unassigned dump?

The adjacent downstream site (once considered a part of the Vitale Site) has already begun development, thanks to the political, DEP and the MA Executive Office of Environmental Affairs approval. This property now called the Burnham Land Trust will have a sewage pumping station 600 lineal feet from the reservoir when it is at 34 feet of elevation. The wet well of this sewage pumping station will be below reservoir level.

Your MCP Method 3 Risk Characterization Report dated April 3, 2000, states that the "Vitale Dump Site is not located within a Potentially Productive Aquifer or any other active or potential drinking water sources." **How do you dare make such a statement?** You have also ignored an active domestic well approximately 300 linear feet from the Vitale Site at #1 Topsfield Road in The Town of Wenham. This private drinking water well is 365 feet deep. The proposed, approved sewage pumping station will be above (within 200 lineal feet) the drinking water well.

Also proposed in your Method 3 Risk Characterization Report is the proposal to grade over the Kelleher (Burnham Land Trust) and the Vitale sites in order to divert Airport Brook to the sea two miles away. We see this as an attempt not to acknowledge but to seal another bedrock fissure as was done in the remediation of the Filtech site

across the street. The city and state are willing to spend five million dollars plus, of the taxpayers money for this Airport Brook diversion for private developers, at a tremendous environmental disruption to the Aquifer.

Records show massive known chemical contamination is deep within this Aquifer. To date, aviation and industrial development have won out. The MA DEP does not reply to our letters and has left the responsibility of protecting the public water supply to you.

It is already too late to save the Wenham Lake Reservoir Aquifer. However the reservoir continues to meet state standards as drinking water because residues from these contaminated sites are diluted, having to travel a mile down the reservoir to the Salem, Beverly water filtration plants. Worth noting here, these filtration plants are not equipped to handle chemicals and heavy metals. The records show that the Salem/Beverly Water Supply Board are a party to the great hoax that allows development within the Wenham Lake Reservoir Aquifer.

This letter is two days over your deadline of 20 days of your poster session meeting. We were not offered the opportunity to publicly present the facts. Why the deadline to respond? We have followed and recorded the investigations of contamination within this Aquifer for 25 years. You are putting your professional reputation on the line for the Mayor and the City of Beverly. Remember all documents, reports, photos, drawing, USGS topo, surficial, bedrock and hydrologic investigations maps in our files will go down in history showing the arrogant disregard of what is one of the oldest and once was one of the purest Aquifers in this nation.

For the committee,

*Dominic Manzoli*  
Dominic Manzoli  
Secretary/Archivist

cc:

Carrol Browner Director  
Environmental Protection Agency  
401 M Street/1101  
Washington D.C. 2060

Tom Reilly Attorney General  
Commonwealth of Massachusetts  
One Ashburton Place  
Boston, MA 02108-1698

May 4, 20000

Mayor William F. Scanlon, Jr.  
Beverly City Hall  
191 Cabot Street  
Beverly, MA 01915

Re: Petition Requesting Extension of Public Comment Period and Petition  
Requesting Additional Public Meeting regarding Phase II Studies for the former  
Casco Chemical/Nike Missile Site, General Aviation Services Site and the Vitale  
Site

Honorable Mayor Scanlon:

Enclosed please find a petition requesting an extension of the public comment  
period and an additional public meeting concerning the Phase II Studies for the  
above-mentioned sites.


The extremely brief (20-day) public comment period is far too short given the gravity  
of risk and complexity of the three sites. In view of the sites' proximity to the  
drinking water reservoir for Beverly and Salem, we believe a 60-day extension as  
well as an additional public meeting are well warranted.

We look forward to your response.

Sincerely,

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Dominic Manzoli  
The North Beverly Environmental  
Action Committee  
775-A Cabot Street  
Beverly, MA 01015



Lisa Evans, Esq.  
Salem Power Plant Healthlink  
c/o Mark Rogers  
3 1/2 Holly Street  
Salem, MA 01970

cc: Ransom Environmental Consultants, Inc.

PETITION REQUESTING EXTENSION OF PUBLIC COMMENT PERIOD  
AND ADDITIONAL PUBLIC MEETING

To Mayor Scanlon:

REQUEST FOR EXTENSION OF PUBLIC COMMENT PERIOD

Pursuant to 310 CMR 40.1405(6)(e)1, we hereby request an extension of 60 days to the public comment period for the Phase II Comprehensive Site Assessment and Phase II Addendum Scopes of Work for the Former Casco Chemical/Nike Missile Site and General Aviation Services Site and the Method 3 Risk Characterization Scope of Work for the Vitale Site (prepared by Ransom Environmental Consultants, Inc, April 4, 2000).

The undersigned believe that the complexity of the above report and the gravity of the issues raised require a full 60-day extension in order for interested citizens to provide a full and meaningful response to Ransom Environmental Consultants and the City of Beverly. At stake, at minimum, is the health of Wenham Lake, a drinking water reservoir serving more than 80,000 citizens of Beverly and Salem.

The Phase II Report raises serious questions regarding the extent of soil, surface and ground water contamination, the area's hydrogeology, and the sufficiency of the water, soil and sediment sampling. All of these factors will impact greatly the next phase of the project, the Method 3 Risk Characterization. Therefore our comments *at this stage* are critical. Without an extension of time, thoughtful and thorough public input will be impossible.

The mandate of the Public Involvement Plan, as stated in 310 CMR 40.1401(1)(b), is to "solicit the concerns of the public about the disposal site and response actions, and ... consider, address and, where relevant and material, *incorporate* these concerns in planning response actions." Furthermore Section 40.1401(2) states that "information and comments raised during the implementation of Public Involvement Activities ... *shall be considered* when making decisions regarding response actions." (emphasis added) This regulatory mandate will be wholly thwarted by the failure to give the public sufficient time in which to comment.

REQUEST FOR PUBLIC MEETING

This petition also requests that an additional public meeting be held on the contents of the Phase II Report. The "poster meeting" sponsored by Ransom Environmental Consultants on April 19, 2000 failed both to educate the public and to create a forum for free dissemination of information and ideas. While the Massachusetts Contingency Plan does not require that public meetings follow a specific format, the "poster meeting" does not satisfy the spirit of the regulatory requirement. Therefore we are asking for a second public meeting that affords the public full opportunity to inquire and comment on the report in a true public meeting format.

Thank you for your consideration of this petition.

Signed Respectfully,

NAME	ADDRESS	AFFILIATION
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Red Daynes	15 Burnham Rd	
Kerry Healey	10 Curtis Pt.	
Nathan H. Zell	4 ORCHARD ST	Citizens for a Livable Beverly
Karl Benne	44 Willwest Ave	" " " "
Cathy Burack	6 Brimbal Hills Dr.	Bev. Brimbal Ave Neighborhood
Janet B. Schlein	106 Lathrop St	Bev.
Elise R. Bernstein	23 Fudleigh Ave	Bev. Brimbal Ave Neighbourhood
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